

**IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG)****WRIT PETITION (S) NO. 5490 /2006****WRIT PETITION UNDER ARTICLE 226/227 OF THE  
CONSTITUTION OF INDIA,****PETITIONER**

Dadu Ram Patel, aged about 57 years, son of Shri Heera Lal Patel, Head Master - Government Tribal Middle School - Kilkila, Tah. Patthalgaon, Distt. Jashpur (C.G.)

**VERSUS****RESPONDENTS**

1. State of Chhattisgarh, through ✓  
– Secretary, Department of Tribal Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. The Commissioner, Department ✓  
of Tribal Welfare, Raipur (C.G.)
3. Assistant Commissioner, ✓  
Department of Tribal Welfare,  
District Jashpur Nagar (C.G.)
4. The Block Education Officer, Block ✓  
– Patthalgaon, District Jashpur  
(C.G.)

RECEIVED-COPY  
6/10/06  
CLERK TO A. G. BILASPUR

The petitioner, named above, respectfully submits as under:-

HIGH COURT OF CHHATTISGARH AT BILASPURW. P. (s) No. 5481 of 2006

Petitioner : Baij Nath Prasad Nand  
 Versus  
 Respondents : State of Chhattisgarh & others

W. P. (s) No. 5484 of 2006

Petitioner : Shyam Bandhu Patel  
 Versus  
 Respondents : State of Chhattisgarh & others

W. P. (s) No. 5485 of 2006

Petitioner : Bahadur Singh Sidar  
 Versus  
 Respondents : State of Chhattisgarh & others

W. P. (s) No. 5487 of 2006

Petitioner : Devlal Kurre  
 Versus  
 Respondents : State of Chhattisgarh & others

W. P. (s) No. 5488 of 2006

Petitioner : Atma Ram Rao  
 Versus  
 Respondents : State of Chhattisgarh & others

W. P. (s) No. 5489 of 2006

Petitioner : Sunil Shrivastava  
 Versus  
 Respondents : State of Chhattisgarh & others

W. P. (s) No. 5490 of 2006

Petitioner : Dadu Ram Patel  
 Versus  
 Respondents : State of Chhattisgarh & others

AndW. P. (s) No. 5491 of 2006

Petitioner : Suman Kumar Kujur  
 Versus  
 Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

---

Shri A. N. Bhakta, Advocate for the Petitioners.

Shri Sumesh Bajaj, Govt. Advocate for the respondents/State.

---

ORDER

(10<sup>th</sup> October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificates.
2. The present writ petitions, being W.P.(s) Nos. 5481/2006, 5484/2006, 5485/2006, 5487/2006, 5488/2006, 5489/2006, 5490/2006 and 5491/2006 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.
3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination

Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.
5. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificates on their own expenses or not. No order as to costs.

Sd/-  
Satish K. Agnihotri  
Judge